

**FILE NUMBER:** Z190-121(AU)

**DATE FILED:** October 29, 2019

**LOCATION:** Northeast corner of South St. Augustine Drive and C. F. Hawn Freeway

**COUNCIL DISTRICT:** 5

**MAPSCO:** 69 B

**SIZE OF REQUEST:** Approximately 0.7808 Acres

**CENSUS TRACT:** 117.01

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**REPRESENTATIVE:** Ryan Hughes, Griffith Firm PLLC

**APPLICANT/**

**OWNER:** SAI Bhari Inc.

**REQUEST:** An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less use on property zoned Subdistrict 2 within Planned Development District No. 535, the C. F. Hawn Special Purpose District No. 3, with a D-1 Liquor Control Overlay.

**SUMMARY:** The purpose of this request is to allow for the sale of alcoholic beverages for off-premise consumption in conjunction with an existing general merchandise or food store. (Alon Gas Station)

**CPC RECOMMENDATION:** **Denial without prejudice**

**STAFF RECOMMENDATION:** **Approval** for a two-year period, subject to a site plan and staff recommended conditions.

### **Background Information**

- The request site is currently developed with a general merchandise or food store less than 3,500 square feet use, and a motor vehicle fueling station. The property is located within Subdistrict 2 of the Planned Development District No. 535, C.F. Hawn Special Purpose District No. 3, with a D-1 Liquor Control Overlay.
- PD No. 535 was established on August 25, 1999 and contains three subdistricts. The request site is located within Subdistrict 2, Commercial and Retail Subdistrict. The general merchandise use is permitted by right within Subdistrict 2 of the PD No. 535. The sale of alcoholic beverages requires a specific use permit if located within the D-1 Liquor Control Overlay.
- On September 12, 2012, the City Council approved Specific Use Permit No. 1990 for the sale of alcoholic beverages in conjunction with a general merchandise store or food store 3,500 square feet or less, for a two-year period with eligibility for automatic renewals for additional five-year periods. SUP. No. 1990 automatic renewal was approved on February 2, 2015. The applicant did not submit an application to continue the automatic renewal process within the specified time frame. SUP No. 1990 expired on September 12, 2019.
- On March 1, 2013, a Certificate of Occupancy was issued for the general merchandise or food store less than 3,500 square feet in area for the request property.

### **Zoning History**

There has been one zoning change requested in the area in the past five years:

- 1. Z190-212(CT)** On August 12, 2020, the City Council approved Specific Use Permit No. 2390 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, for a two-year period, on property zoned as Subdistrict 2 within Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3, located on the northwest corner of C.F. Hawn Freeway and St. Augustine Road.

**Thoroughfares/Streets**

Thoroughfares/Street	Type	Existing ROW
St. Augustine Drive	Major Arterial	60 ft.

**Traffic**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the existing roadway system.

**Comprehensive Plan**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies that can serve as a framework for assisting in evaluating the applicant's request. The applicant's request is consistent with the following goals and policies of the comprehensive plan.

**LAND USE ELEMENT**

**GOAL 1.1** ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

**Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

**URBAN DESIGN ELEMENT**

**GOAL 5.3** ESTABLISHING WALK-TO CONVENIENCE

**Policy 5.3.1.** Encourage a balance of land uses within walking distance of each other.

**STAFF ANALYSIS****Surrounding Land Uses**

	<b>Zoning</b>	<b>Land Use</b>
Site	PD No. 535 with D-1	Gas station and general merchandise or food store
North	CR with D-1	Local utilities
South	PD No. 535 with D-1	C.F. Hawn Freeway
East	PD No. 535 with D-1	Hotel
West	PD No. 535 with D-1 and SUP No. 2390	Gas station and general merchandise or food store with alcohol sales

**Land Use Compatibility**

The site is located within Subdistrict 2 of Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3, and is currently developed with a general merchandise or food store less than 3,500 square feet and a motor vehicle fueling station. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property requires a Specific Use Permit in the D-1 Liquor Control Overlay.

The surrounding land uses consist of a general merchandise or food store less than 3,500 square feet and a motor vehicle fueling station with alcohol sales to the west, hotel or motel to the east, and local utilities use to the north. Further north there are multifamily uses, and further east are single family uses.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the

welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually. The current convenience store license was renewed in September 2020.

The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The applicant is requesting a five-year time limit for this specific use permit. Staff is recommending two-year time period, to allow the review and evaluation of the land use compatibility.

### **Parking**

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area and

two spaces for a motor vehicle fueling station. The development requires 11 spaces with 13 being provided per the attached site plan.

### **Landscaping**

Landscaping must be provided in accordance with Planned Development District No. 535, C. F. Hawn Special Purpose District No. 3. No changes to the site plan are proposed with this request, therefore no landscape requirements are triggered by this request.

### **Police Report**

Staff requested a police report from September 2012, the last time the SUP was renewed, to present. From September 2012 to present there were 304 calls, 164 calls were categorized as emergency or urgent. In the same period, there were three incidents and 114 arrests at this location.

The calls were categorized as minor incident, intoxicated person, theft, burglary or robbery, business alarm, tabbing or cutting, injured person, animal disturbance, abandoned property, criminal mischief, suspicion person, prostitution, road rage, gun fire, major disturbance (violence or ambulance), open air drug sales, or panhandling. The arrests were for assault, criminal trespassing, driving while intoxicated, fail to ID, injury, possession, prostitution, public intoxication, resist arrest, tamper evidence, terroristic threat, theft, unauthorized use of motor vehicle, unlawful carry or possession, and warrant.

The property was included in the RISK property program with Dallas Police Department's Nuisance Abatement Team. The Nuisance Abatement Team forges vested partnerships with cooperative property owners to combat common and public nuisances. The utilization of criminal/civil statutes as well as local enforcement authority to compel uncooperative property owners to assist in the abatement of these nuisances. This program is designed to rehabilitate these properties and revitalize the affected community. Nuisance RISK Property Team requires property owners after notification of the existence of a nuisance, to demonstrate proactive management of their properties in the abatement effort. Uncooperative property owners face criminal/civil actions to repair, demolish, close, or forfeit their interest in the property when the nuisance goes unabated. The ultimate goal is to eliminate criminal nuisances. The aggregate benefits are revitalized neighborhoods that are safer and cleaner places in which to live, work and visit.

According to the Community Prosecutor, in May 2020, the property implemented all required measures by the program and is currently complying with the nuisance abatement agreement. Since May 2020, there were 24 police calls at the location, seven being categorized as urgent, and nine arrests.

The following is the list of arrests with 9606 C F HAWN FRWY, 75217 address:

Date	Time	Crime	Charge	Class	Description
3/25/2014	13:00		NULL	MC	ASLT/OFF CONTACT/FV
5/3/2014	10:30		NULL	MC	PUBLIC INTOXICATION
5/3/2014	10:30		NULL	MC	PUBLIC INTOXICATION
5/17/2014	17:50		OTHERS	MB	CRIM TRESPASS/BLDG/PROP
5/17/2014	17:50		FORGE & COUNTERFEIT	F2	FRAUD USE/POSIDENINFO
6/6/2014	10:30	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	FS	POSS CONT SUB PEN GRP 1 <1G
6/6/2014	10:30	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
11/19/2014	21:00	PURCHASING PROSTITUTION	PROSTITUTION	MB	PROSTITUTION
5/12/2015	13:30	ALL OTHER OFFENSES	OTHER	M*	OTHER OFFENSE - MISDEMEANOR
5/12/2015	13:30	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	FS	POSS CONT SUB PEN GRP 1 <1G
7/8/2015	23:50	TRESPASS OF REAL PROPERTY	OTHER /CRIMINAL TRESPASS	MB	CRIMINAL TRESPASS
8/20/2015	3:19	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	FS	POSS CONT SUB PEN GRP 1 <1G
8/20/2015	3:19	WARRANT-DALLAS PD (CAPIAS)	ALIAS/CAPIAS	NA	WARRANT-DALLAS PD (CAPIAS)
10/15/2015	2:25	WARRANT-DALLAS PD (ALIAS)	ALIAS/CAPIAS	NA	WARRANT-DALLAS PD (ALIAS)
10/15/2015	2:25	PUBLIC INTOXICATION	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
10/27/2015	13:22	PURCHASING PROSTITUTION	PROSTITUTION	MB	PROSTITUTION (BUYER)
11/7/2015	3:40	PUBLIC INTOXICATION	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
12/4/2015	16:45	COUNTERFEITING / FORGERY	OTHER	F3	TAMPER FABRICATE PHYSICAL EVID WITH INTENT TO IMPAIR

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1/4/2016	23:05	PUBLIC INTOXICATION	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
1/10/2016	19:10	DUI	DWI	MA	DWI BAC > OR EQUAL TO 0.15
2/22/2016	19:16	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	FS	POSS CONT SUB PEN GRP 1 <1G
2/22/2016	19:16	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
2/22/2016	19:16	WARRANT-DALLAS PD (ALIAS)	ALIAS/CAPIAS	NA	WARRANT-DALLAS PD (ALIAS)
4/28/2016	18:45	ALL OTHER OFFENSES	OTHER	M*	OTHER OFFENSE - MISDEMEANOR
4/28/2016	18:45	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	MB	POSS MARIJUANA <2OZ
4/28/2016	18:45	WARRANT-DALLAS PD (ALIAS)	ALIAS/CAPIAS	NA	WARRANT-DALLAS PD (ALIAS)
4/28/2016	18:45	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	MB	POSS MARIJUANA <2OZ
4/28/2016	18:45	WARRANT-DALLAS PD (ALIAS)	ALIAS/CAPIAS	NA	WARRANT-DALLAS PD (ALIAS)
5/8/2016	7:30	SIMPLE ASSAULT	ALL OTHER MC CHARGES	MC	ASSAULT -FAM VIOL OFFENSIVE CONTACT PC 22.01(A)(3)
5/8/2016	7:30	ALL OTHER OFFENSES	OTHER	MA	RESIST ARREST SEARCH OR TRANSPORT
6/6/2016	18:30	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
6/9/2016	20:45	PUBLIC INTOXICATION	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
7/31/2016	17:10	ALL OTHER OFFENSES	OTHER	MA	RESIST ARREST SEARCH OR TRANSPORT
7/31/2016	17:10	ALL OTHER LARCENY	FELONY THEFT	FS	THEFT FROM PERSON
7/31/2016	19:15	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	FS	POSS CONT SUB PEN GRP 1 <1G
7/31/2016	19:15	PUBLIC INTOXICATION	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
7/31/2016	18:40	INTIMIDATION	OTHER	MB	TERRORISTIC THREAT - FEAR IMMINENT SBI
7/31/2016	18:40	WEAPON LAW VIOLATIONS	UCW/CPW	MA	UNLAWFUL CARRYING WEAPON



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8/30/2016	17:45	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	FS	POSS CONT SUB PEN GRP 1 <1G
8/30/2016	17:45	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	FS	POSS CONT SUB PEN GRP 1 <1G
8/30/2016	17:45	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
10/9/2016	19:00	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
11/4/2016	17:50	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
11/13/2016	19:07	PUBLIC INTOXICATION	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
1/3/2017	10:15	ALL OTHER LARCENY	FELONY THEFT	FS	THEFT OF PROP > OR EQUAL \$2,500 BUT <\$30K- NOT SHOPLIFT
1/25/2017	21:57	UUMV	AUTO THEFT	FS	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE
1/25/2017	21:57	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
2/9/2017	1:02	COUNTERFEITING / FORGERY	OTHER	F3	TAMPER FABRICATE PHYSICAL EVID WITH INTENT TO IMPAIR
2/23/2017	11:40	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
3/21/2017	18:00	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	F1	MAN DEL CONT SUB PEN GRP 1 > OR EQUAL 4G<200G
3/21/2017	18:00	WEAPON LAW VIOLATIONS	UCW/CPW	F3	UNLAWFUL POSS FIREARM BY FELON
3/21/2017	18:00	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
5/22/2017	22:50	PUBLIC INTOXICATION	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
6/18/2017	17:14	WARRANT-DALLAS PD (ALIAS)	ALIAS/CAPIAS	NA	WARRANT-DALLAS PD (ALIAS)
7/15/2017	13:32	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
8/16/2017	18:30	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)

9/19/2017	17:51	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	FS	POSS CONT SUB PEN GRP 1 <1G
9/19/2017	17:51	WARRANT-DALLAS PD (ALIAS)	ALIAS/CAPIAS	NA	WARRANT-DALLAS PD (ALIAS)
9/19/2017	17:51	WARRANT-DALLAS PD (CAPIAS)	ALIAS/CAPIAS	NA	WARRANT-DALLAS PD (CAPIAS)
10/5/2017	17:30	PURCHASING PROSTITUTION	PROSTITUTION	MB	PROSTITUTION (BUYER)
1/5/2018	1:15	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
2/3/2018	18:00	ALL OTHER OFFENSES	OTHER	M*	OTHER OFFENSE - MISDEMEANOR
2/3/2018	18:00	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	FS	POSS CONT SUB PEN GRP 1 <1G
2/3/2018	18:00	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
3/2/2018	18:30	FALSE PRETENSES/ SWINDLE/ CONFIDENCE GAME	NULL	MB	FAIL TO ID -GIVING FALSE/FICTITIOUS INFO PC 38.02(c)(2)
3/2/2018	18:30	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	F3	POSS CONT SUB PEN GRP 1 > OR EQUAL 1G<4G
3/2/2018	18:30	PUBLIC INTOXICATION	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
3/23/2018	16:10	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
3/30/2018	17:03	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	F3	POSS CONT SUB PEN GRP 1 > OR EQUAL 1G<4G
3/30/2018	17:03	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	FS	POSS CONT SUB PEN GRP 1 <1G
5/1/2018	19:00	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	FS	POSS CONT SUB PEN GRP 1 <1G
5/1/2018	19:00	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	FS	POSS CONT SUB PEN GRP 1 <1G
5/1/2018	19:00	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)

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5/26/2018	17:53	PUBLIC INTOXICATION	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
7/7/2018	13:00	ALL OTHER OFFENSES		MA	FAIL TO ID -FUGITIVE INTENT GIVE FALSE INFO
7/7/2018	13:00	ALL OTHER LARCENY		MB	THEFT OF PROP > OR EQUAL \$100 <\$750 (NOT SHOPLIFT) PC31.03(e2A)
7/7/2018	13:00	WARRANT HOLD (OUTSIDE AGENCY)		NA	WARRANT HOLD (OUTSIDE AGENCY)
7/10/2018	12:10	TRESPASS OF REAL PROPERTY		MB	CRIMINAL TRESPASS
7/10/2018	19:35	ALL OTHER OFFENSES		M*	OTHER OFFENSE - MISDEMEANOR
7/10/2018	19:35	DRUG/ NARCOTIC VIOLATIONS		FS	POSS CONT SUB PEN GRP 1 <1G
7/25/2018	2:30	DRUG/ NARCOTIC VIOLATIONS		FS	POSS CONT SUB PEN GRP 1 <1G
7/25/2018	14:12	ALL OTHER OFFENSES		MA	FAIL TO ID -FUGITIVE INTENT GIVE FALSE INFO
7/25/2018	14:12	DRUG/ NARCOTIC VIOLATIONS		FS	POSS CONT SUB PEN GRP 1 <1G
7/25/2018	14:12	WARRANT HOLD (OUTSIDE AGENCY)		NA	WARRANT HOLD (OUTSIDE AGENCY)
7/25/2018	14:42	WARRANT HOLD (OUTSIDE AGENCY)		NA	WARRANT HOLD (OUTSIDE AGENCY)
8/10/2018	16:56	SIMPLE ASSAULT		MA	ASSAULT -BODILY INJURY ONLY
8/10/2018	16:56	FALSE PRETENSES/ SWINDLE/ CONFIDENCE GAME		MB	FAIL TO ID -GIVING FALSE/FICTITIOUS INFO PC 38.02(c)(2)
8/10/2018	16:56	AGG ASSAULT - NFV		FS	INJURY CHILD/ELDERLY/DISABLED- RECKLESS-BODILY INJURY
8/10/2018	16:56	DRUG/ NARCOTIC VIOLATIONS		MB	POSS MARIJUANA <2OZ
8/10/2018	16:56	PUBLIC INTOXICATION		MC	PUBLIC INTOXICATION
10/2/2018	3:10	UUMV		FS	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE

3/1/2019	21:40	DRUG/ NARCOTIC VIOLATIONS		FS	POSS CONT SUB PEN GRP 1 <1G
3/1/2019	21:40	WARRANT DALLAS PD (OTHERS)		NA	WARRANT DALLAS PD (OTHERS)
3/17/2019	22:25	WARRANT DALLAS PD (OTHERS)		NA	WARRANT DALLAS PD (OTHERS)
5/4/2019	18:40	ALL OTHER OFFENSES		M*	OTHER OFFENSE - MISDEMEANOR
5/4/2019	18:40	DRUG/ NARCOTIC VIOLATIONS		FS	POSS CONT SUB PEN GRP 1 <1G
5/4/2019	18:40	DRUG/ NARCOTIC VIOLATIONS		FS	POSS CONT SUB PEN GRP 1 <1G
5/4/2019	18:40	ALL OTHER OFFENSES		M*	OTHER OFFENSE - MISDEMEANOR
5/4/2019	18:40	DRUG/ NARCOTIC VIOLATIONS		F3	POSS CONT SUB PEN GRP 1 > OR EQUAL 1G<4G
5/7/2019	17:50	ALL OTHER OFFENSES		MA	FAIL TO ID -FUGITIVE INTENT GIVE FALSE INFO
5/7/2019	17:50	WARRANT HOLD (OUTSIDE AGENCY)		NA	WARRANT HOLD (OUTSIDE AGENCY)
8/12/2019	3:00	PUBLIC INTOXICATION		MC	PUBLIC INTOXICATION
8/12/2019	3:08	WARRANT-DALLAS PD (ALIAS)		NA	WARRANT-DALLAS PD (ALIAS)
11/15/2019	17:00	WARRANT DALLAS PD (OTHERS)		NA	WARRANT DALLAS PD (OTHERS)
4/22/2020	19:00	PUBLIC INTOXICATION		MC	PUBLIC INTOXICATION
7/18/2020	18:48	UUMV		FS	UNAUTHORIZED USE OF MOTOR VEH - TRUCK OR BUS
7/18/2020	18:48	WARRANT DALLAS PD (ALIAS/CAPIAS)		NA	WARRANT DALLAS PD (ALIAS/CAPIAS)
7/18/2020	19:00	DRUG/ NARCOTIC VIOLATIONS		FS	POSS CONT SUB PEN GRP 1 <1G
7/18/2020	19:00	UUMV		FS	UNAUTHORIZED USE OF MOTOR VEH - TRUCK OR BUS
7/18/2020	19:00	WARRANT HOLD (NOT A DPD WARRANT)		NA	WARRANT HOLD (NOT A DPD WARRANT)

9/15/2020	16:15	TRESPASS OF REAL PROPERTY		MB	CRIMINAL TRESPASS
9/15/2020	16:15	WARRANT DALLAS PD (ALIAS/CAPIAS)		NA	WARRANT DALLAS PD (ALIAS/CAPIAS)
9/15/2020	16:30	TRESPASS OF REAL PROPERTY		MB	CRIMINAL TRESPASS
9/15/2020	16:30	WARRANT DALLAS PD (ALIAS/CAPIAS)		NA	WARRANT DALLAS PD (ALIAS/CAPIAS)

### **Market Value Analysis**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The request site is uncategorized, but properties located to the north and east are located within an “H” MVA cluster, and to the northwest are located within and “F” MVA cluster.

## **LIST OF PARTNERS**

### **Sai Bhari Inc.**

Deepesh Shrestha – President

Rakhee Shakya – Secretary

Dhir H Bhari - Treasurer

**CPC Action**  
**November 5, 2020**

**Motion:** In considering an application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less use on property zoned Subdistrict 2 within Planned Development District No. 535, the C. F. Hawn Special Purpose District No. 3, with a D-1 Liquor Control Overlay, on the northeast corner of South St. Augustine Drive and C. F. Hawn Freeway, it was moved to **hold** this case under advisement until December 3, 2020.

Maker: Shidid  
Second: MacGregor  
Result: Carried: 13 to 0

For: 13 - MacGregor, Hampton, Stinson, Johnson,  
Shidid, Carpenter, Jackson, Jung, Myers,  
Suhler, Murphy, Garcia, Rubin

Against: 0  
Absent: 2 - Blair, Schwope  
Vacancy: 0

**Notices:** Area: 200 Mailed: 10  
**Replies:** For: 1 Against: 0

**Speakers:** For: None  
For (Did not speak): Audrie Ewer, 1415 N. Loop W., Houston, TX, 77008  
Against: None

**CPC Action**  
**December 3, 2020**

**Motion:** It was moved to recommend **denial without prejudice** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less use on property zoned Subdistrict 2 within Planned Development District No. 535, the C. F. Hawn Special Purpose District No. 3, with a D-1 Liquor Control Overlay, on the northeast corner of South St. Augustine Drive and C. F. Hawn Freeway.

Maker: Shidid  
Second: Hampton  
Result: Carried: 15 to 0

For: 15 - MacGregor, Hampton, Stinson, Johnson,  
Shidid, Carpenter, Jackson, Blair, Jung, Myers,  
Suhler, Schwope, Murphy, Garcia, Rubin

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 200 Mailed: 10  
**Replies:** For: 1 Against: 0

**Speakers:** For: Audrie Ewer, 1415 N. Loop West, Houston, TX, 77008  
For (Did not speak): Ryan Hughes, 2225 E. Randol Mill Rd., Arlington, TX,



### PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

#### Staff's recommendation:

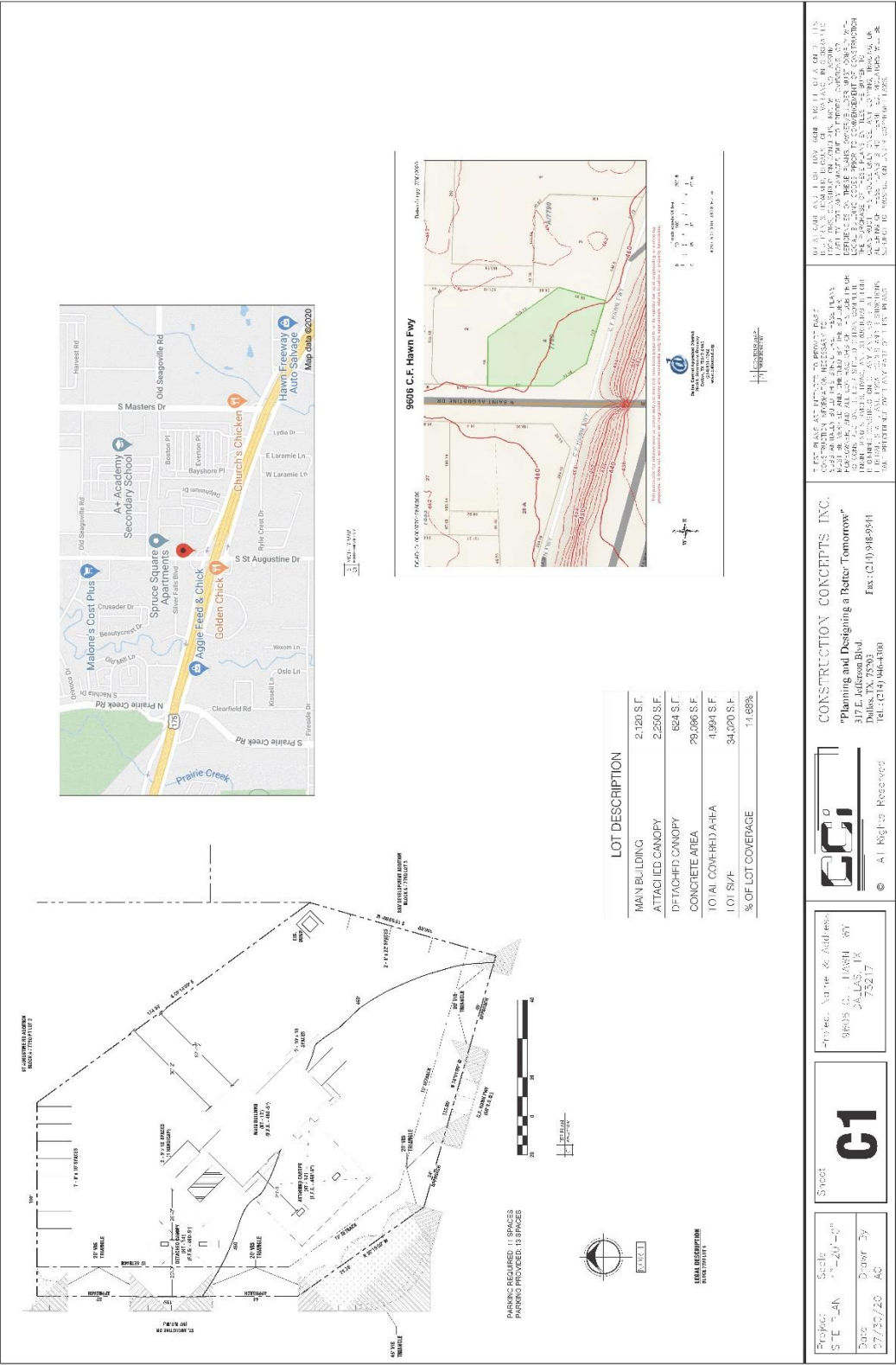
- |  |
|--|
| 3. <u>TIME LIMIT</u> : This specific use permit expires on_____, (two-year period from the passage of this ordinance). |
|--|

#### Applicant's request:

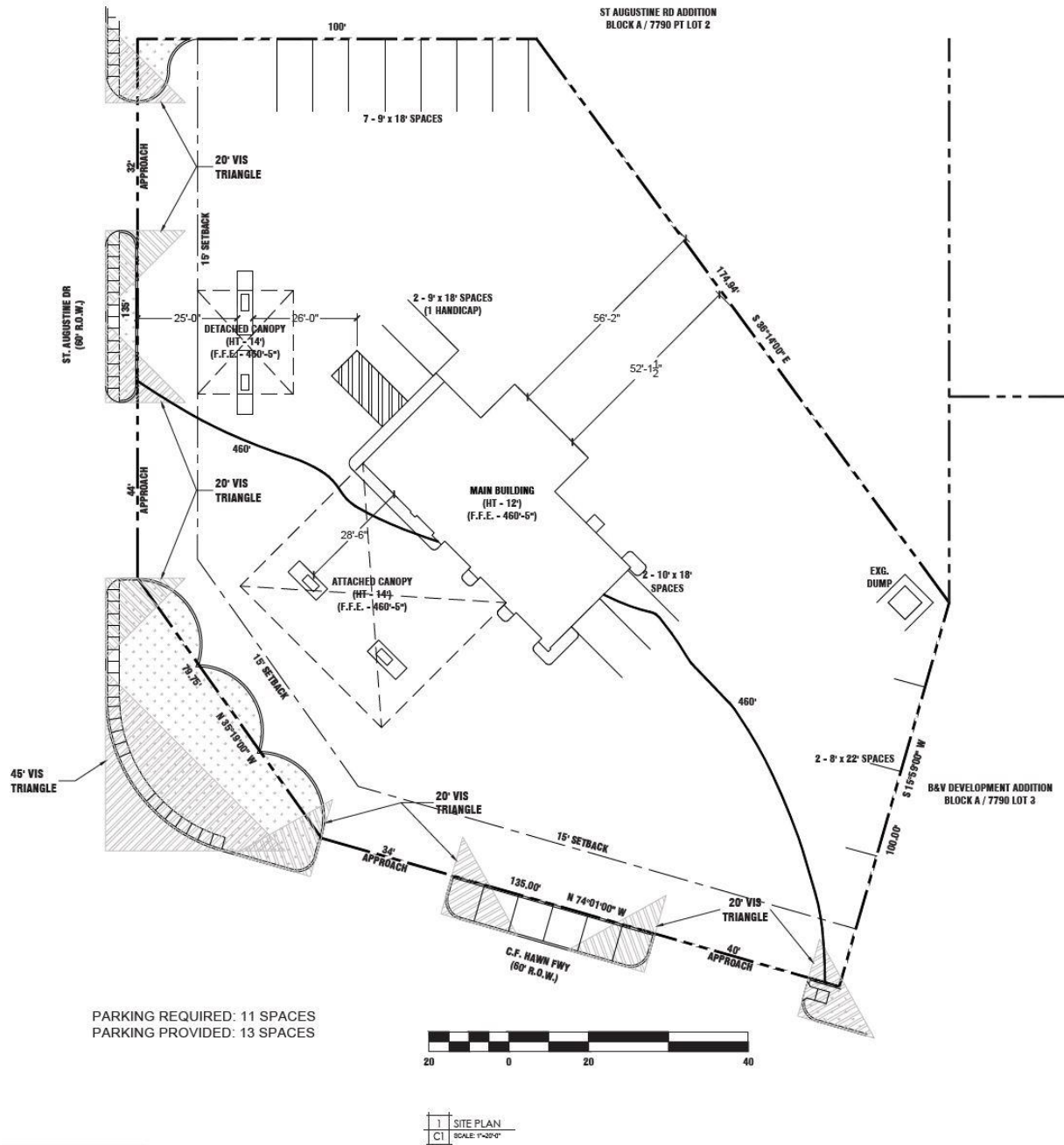
- |  |
|--|
| 3. <u>TIME LIMIT</u> : This specific use permit expires on_____ (five-year period from the passage of this ordinance.) |
|--|

4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



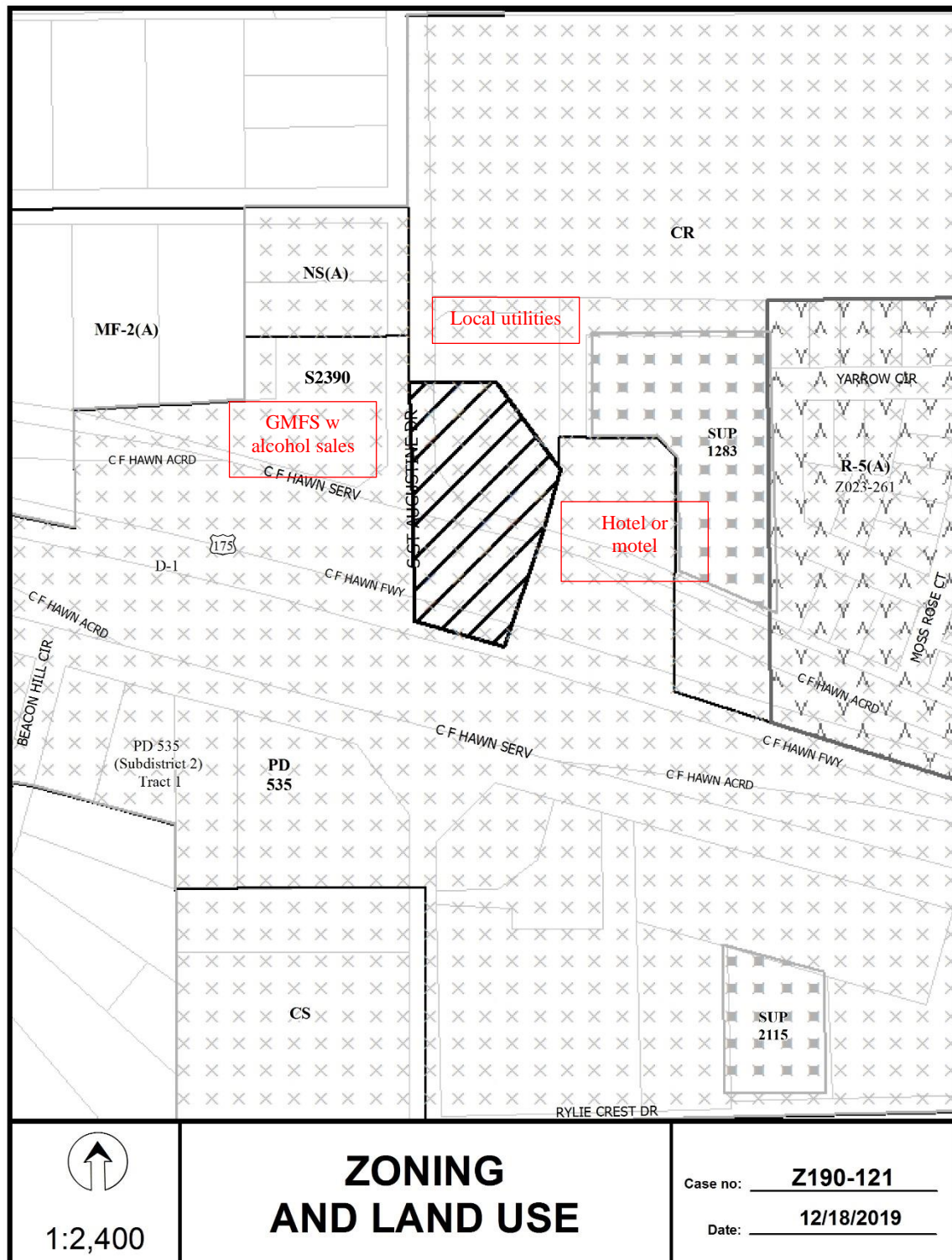
# **PROPOSED SITE PLAN** (enlarged)



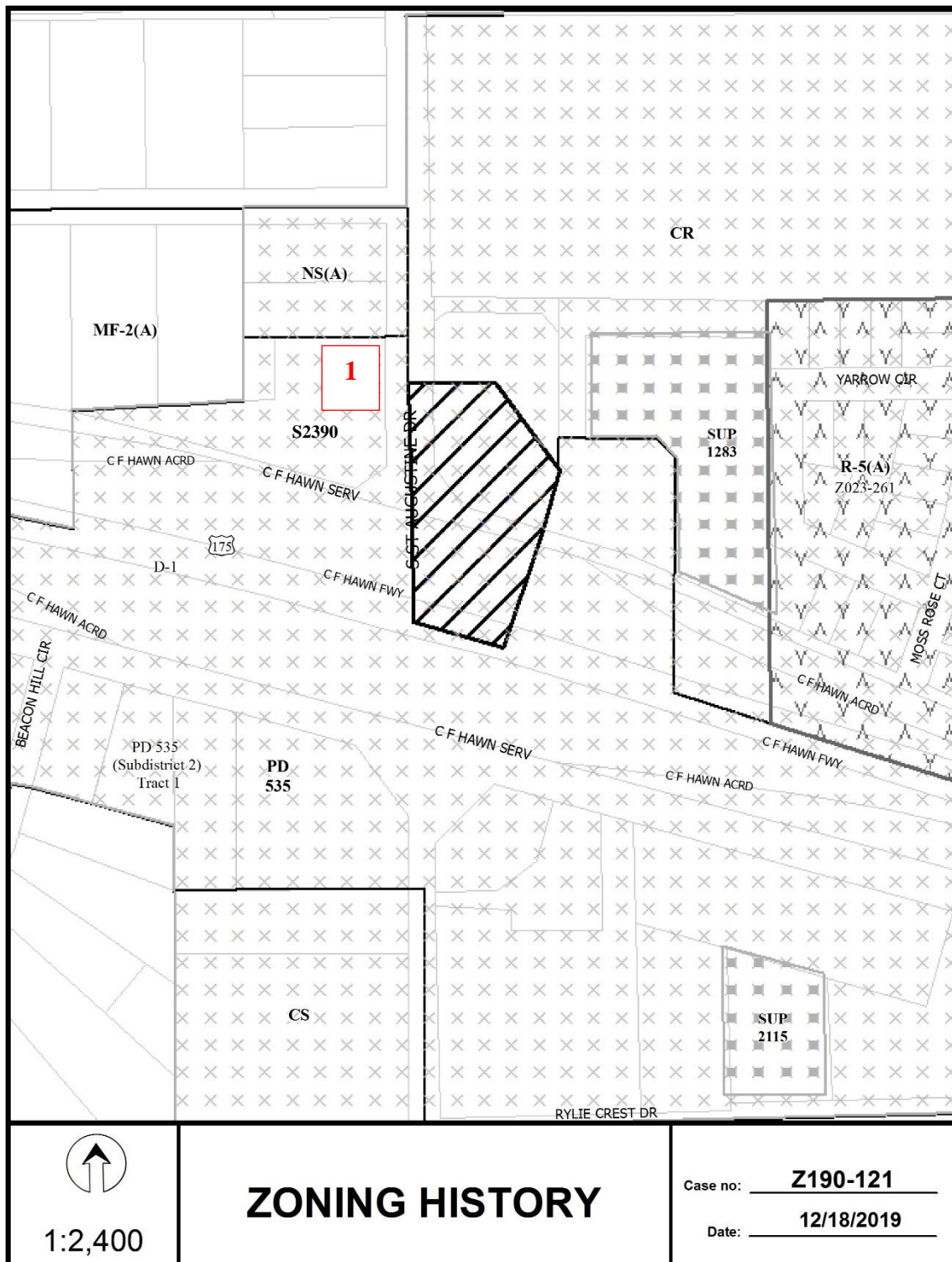


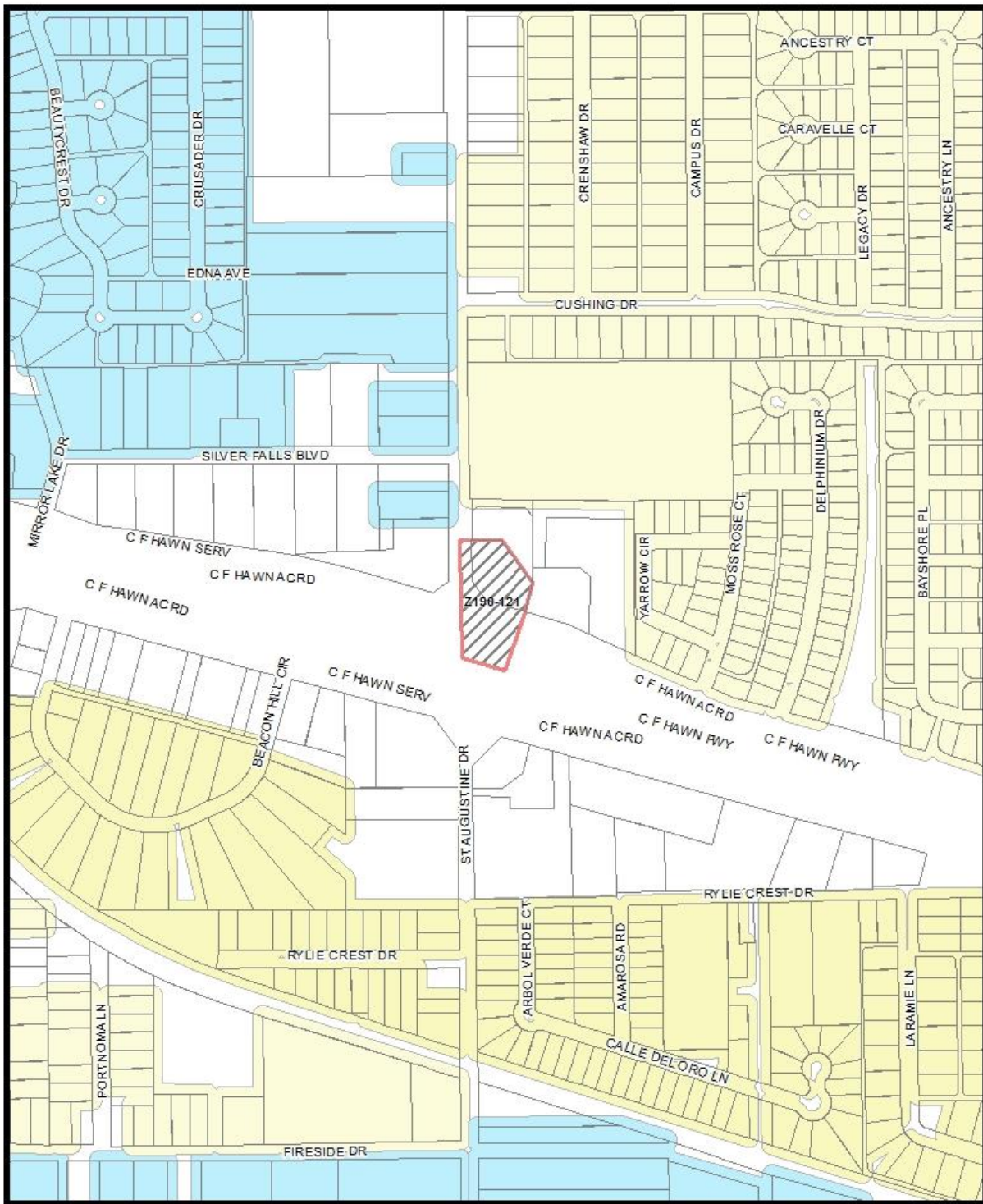












Market Value Analysis



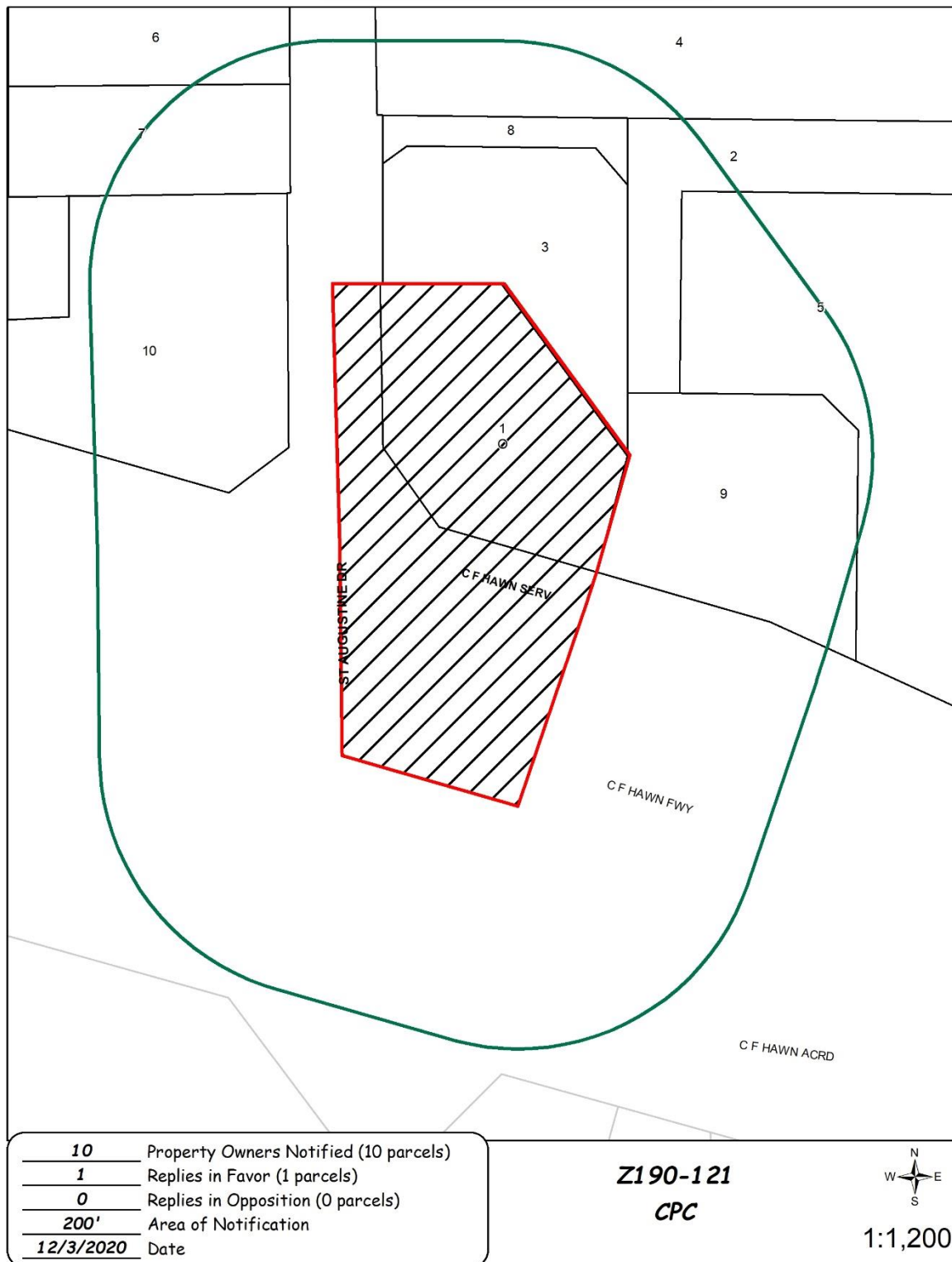
1:4,800

Market Value Analysis

Printed Date: 12/18/2019



**CPC RESPONSES**



Z190-121(AU)

12/02/2020

## ***Reply List of Property Owners***

***Z190-121***

***10 Property Owners Notified    1 Property Owners in Favor    0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
O	1	9606 C F HAWN FWY	SAI BHARI INC
	2	9600 C F HAWN FWY	NEAL HOSPITALITY LLC
	3	459 ST AUGUSTINE RD	TIME WARNER CABLE DALLAS
	4	442 ST AUGUSTINE RD	CO3 SPANISH TIMBERS LLC
	5	9626 C F HAWN FWY	SOUTHEAST DALLAS
	6	507 ST AUGUSTINE RD	AGUIRRE HELEN T
	7	515 S ST AUGUSTINE RD	AGUIRRE ERLINDA T
	8	459 ST AUGUSTINE RD	TIME WARNER NY CABLE LLC
	9	9616 C F HAWN FWY	NEAL HOSPITALITY LLC
	10	527 ST AUGUSTINE RD	NAURIN INC